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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000202

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [PTER](#) [BK](#) [FR](#)
SUBJECT: BOSNIA: ABU HAMZA SUPPORTERS RALLY TO OPPOSE
DEPORTATION

REF: SARAJEVO 93

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Classified By: Michael J. Murphy. Reasons 1.4 (b), (d).

Summary

1. (C) A rally in support of former mujahedeen Imad al Husein AKA Abu Hamza took place in Zenica over the weekend. The rally occurred in the wake of a State Court decision upholding the revocation of Abu Hamza's Bosnian citizenship. The demonstration featured an address by Abu Hamza in which he claimed Alija Izetbegovic had supported his role during the war. It also included extremist rhetoric from other supporters who ridiculed statements by RS officials on the permanence of the Republika Srpska by chanting "Muhammad is the only permanent category in Bosnia." RS-based press seized on the event to highlight the danger posed by the presence of Islamic extremists in Bosnia. The rally comes on the heels of a January 29 European Human Court for Human Rights (ECHR) injunction against the deportation of Abu Hamza pending a review of his denaturalization by the Bosnian Constitutional Court. In a January 31 interview to Croatian news weekly Globus, Abu Hamza stated he welcomed deportation, promised to sue Bosnia for human rights violations if deported, and criticized the "U.S. role" in his deportation. End Summary.

Zenica Rally

2. (U) Efforts by Syrian national and former mujahedeen Imad al Husein AKA Abu Hamza to fight his deportation from Bosnia continue to make the headlines in Bosnia (Reftel). The media gave widespread coverage to a February 2 demonstration in support of Abu Hamza at the Alija Izetbegovic Square in Zenica. Although local press reports claimed the rally involved three thousand participants, EUFOR estimates place the number at six hundred. Demonstrators protested Bosnian government attempts to deport Abu Hamza to Syria. Under the slogan "Abu Hamza, Forgive Us," demonstration leaders accused the government and the international community of human rights violations in attempting to deport former mujahedeen and of harming hundreds of Bosnian children by depriving them of their fathers. They also accused Bosniak (Bosnian Muslim)

leaders of being silent and of doing little to prevent deportations, and announced plans to start a petition against the deportations. Republika Srpska (RS) based media outlets also featured prominent coverage of the event with alarmist reporting on the presence of Islamist forces in Bosnia and suggested that the Serbs' conduct during the 1992-1995 war was an attempt to defend themselves against Islamic extremists.

ECHR Blocks Deportation

¶3. (C) On January 30 the European Court for Human Rights in Strasbourg notified the Bosnian government of its decision to adopt an interim measure blocking any attempt by Bosnia to deport Abu Hamza before the BiH Constitutional Court reaches a final decision in his citizenship case. The Bosnian government considers rulings by the European Court for Human Rights to be binding and local law enforcement and security agencies are proceeding with this understanding. Nonetheless, preparations remain underway for a deportation operation pending the ruling of the Constitutional Court. Although Abu Hamza currently has two petitions before the Constitutional Court, one in regarding his citizenship claim and the other appealing the denial of his asylum application, the ECHR injunction only references the review of his denaturalization.

¶4. (C) We spoke to a lawyer monitoring Abu Hamza's case at the European Court for Human Rights who confirmed the report. Cedomir Radnic said that Abu Hamza had filed a petition with the court to block his deportation on January 22 of this year and that on January 29 the Court informed the Bosnian government of its decision to grant Abu Hamza's request. He speculated that even if the Constitutional Court were to reject his asylum case, Abu Hamza could ask the Strasbourg

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Court to impose additional injunctions blocking his deportation on the grounds that he might face inhumane treatment in Syria.

Globus Interview

¶5. (U) The same week, in a lengthy interview published January 31 in the Zagreb-based magazine Globus, a defiant Abu Hamza welcomed deportation to Syria, and claimed that he would face imprisonment and perhaps the death penalty there. He said that, if deported, he would file a case against the Bosnian government for subjecting him to inhumane treatment and for depriving him of his right to family life at the European Court for Human Rights. He expressed confidence that the Court would rule in his favor.

¶6. (U) Abu Hamza claimed that former president Alija Izetbegovic had allowed former mujahedeen to remain in Bosnia after the 1992-1995 war, provided that they did not violate Bosnian law, and that both parties had fulfilled their part of the bargain. He accused Bosnia's current political leadership of trying to renege on this bargain, but praised Haris Silajdzic, the Bosniak member of the Presidency, who he said understands the former mujahedeen's problems and is trying to do everything in his power to protect them. Abu Hamza dismissed speculation that he could be deported to Croatia, the country from which he entered Bosnia and added that he "fears the role of the U.S. in my deportation.8

¶7. (U) The January 31 edition of magazine Slobodna Bosna published an article critical of the government of former president Alija Izetbegovic for not ridding the country of the former mujahedeen as stipulated by Dayton. The writer detailed efforts by government officials to "devise legal twists" to distribute BiH passports to hundreds of mujahedeen. Nonetheless, the writer notes that deportation would constitute a hardship to Abu Hamza's family and that,

given the history of wartime naturalizations, many mujahedeen
"simply had no choice but to become deeply rooted in BiH."

Comment

18. (C) Abu Hamza and his supporters have mounted a skillful public relations campaign in the local press and have been successful in highlighting his role in the war in order to appeal to Bosniak public opinion. As highlighted in the Slobodna Bosna article, even some Bosniak commentators who support the goal of deporting former mujahedeen tend to cast the Abu Hamza case in terms of human rights rather than the national security interests that the Bosnian government and courts have cited in revoking his citizenship. The Abu Hamza case also has the potential to be appropriated by Bosnian Serbs for nationalist purposes as demonstrated by the sensationalist coverage of the Zenica rally in the RS press. We understand that the Constitutional Court intends to move rapidly on the review of the Abu Hamza citizenship revocation and asylum case and preliminary indications suggest it will uphold the State Court's decision. In the meantime, we are working with Bosnian law enforcement agencies to ensure they are making adequate preparations for an eventual deportation of Abu Hamza. End Comment.

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